

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

GENE VISCO,)	Case No.: 1:20-cv-12303-DJC
)	
Plaintiff,)	
)	
v.)	
)	
CREDITORS RELIEF, LLC,)	
)	
Defendants.)	[PROPOSED] JOINT SCHEDULING
)	ORDER
)	
)	

Pursuant to the Court’s Notice of Scheduling Conference dated February 17, 2022, Rule 26(f) of the Federal Rules of Civil Procedure, and Local Rule 16.1(D), the parties hereby submit this proposed joint scheduling order:

Summary of Parties Positions:

Plaintiff

Plaintiff brings this action against Defendant Creditors Relief, LLC pursuant to the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227(b) and (c). In the Complaint, Plaintiff alleges that Defendant initiated multiple telephone calls to Plaintiff using an automated, artificial and/or pre-recorded voice. Additionally, Defendant contacted Plaintiff on multiple occasions despite the fact that Plaintiff has been on the Do Not Call Registry since August of 2003. Plaintiff seeks statutory damages, treble damages, and injunctive relief as provided under the relevant provisions of the TCPA.

Defendant

Defendant denies all allegations against it, and rather, asserts the claim is a product of fraud and a calculated effort to entrap.

Proposed Case Management Plan:

1. Initial Disclosures. Initial disclosures required by Fed. R. Civ. P. 26(a)(1) must be completed by **April 11, 2022**.

2. Amendments to Pleadings. Except for good cause shown, no motions seeking leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed after **September 29, 2022**.
3. Fact Discovery.
 - a. Final Deadline. All discovery, other than expert discovery, must be completed by **January 29, 2023**.
4. Status Conference. A status conference will be held on **October 10, 2022** at **10:00AM** in Courtroom 11.
5. Expert Discovery.
 - a. Plaintiff's trial experts must be designated and the information required by Fed. R. Civ. P. 26(a)(2) must be disclosed by **August 9, 2022**.
 - b. Defendant's trial experts must be designated and the information required by Fed. R. Civ. P. 26(a)(2) must be disclosed by **October 9, 2022**.
 - c. All trial experts must be deposed by **December 8, 2022**.
6. Summary Judgment Motions.
 - a. Motions for summary judgment must be filed by **October 23, 2022**.
 - b. Opposition to summary judgment motions must be filed within 21 days after service of the motion pursuant to Local Rule 7.1.
 - c. All summary judgment filings shall conform to the requirements of Local Rule 56.1.
7. Initial Pretrial Conference. An initial pretrial conference shall be held on **March 26, 2023** at **10:00AM** in Courtroom 11. The parties shall confer regarding the topics identified under Local Rule 16.5(d) and shall prepare and submit a joint pretrial memorandum in accordance with Local Rule 16.5(d) no later than five (5) business days prior to the pretrial conference. The pretrial memorandum shall also proposed deadlines for the filings of motions in limine, proposed jury instructions and proposed jury voir dire.

Respectfully submitted,

/s/ Craig Thor Kimmel
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Dated: March 18, 2022

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically served via email to the parties listed on the service list below, and to the parties authorized to receive via this Court's CM/ECF system on this 18 day of March, 2022.

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DEFENDANT

/s/ Craig Thor Kimmel
Craig Thor Kimmel, Esquire